



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 9, 2014

BY ECF

The Honorable Victor Marrero
United States District Judge
United States District Court for the
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: *United States v. Christopher E. Reese,*
12 Cr. 629 (VM)**

Dear Judge Marrero:

Sentencing in this matter is scheduled for January 24, 2014 at 9:15 a.m. In advance of sentencing, the Government submits, pursuant to 18 U.S.C. § 3771(a)(4), the following victim impact statement of John Sakal, who testified at trial and who was a victim of defendant Christopher E. Reese's criminal conduct:

. . . . I am in process of applying for a new mortgage. The issue I am battling with Bank of America and the Underwriter is in regards to an account that was overlooked. When I terminated the account that was compromised and reopened a new checking and savings with BoA, they (BoA) failed to link an automatic withdraw to my Home Equity line of credit. I received a notice three months later that payment was not received and rectified the situation. The result of this, as I found out later, was a negative mark on my credit report.

I have been battling BoA to remove this and I have exhausted my efforts. They stated this was my responsibility which I have countered and I have not succeeded. I am greatly disappointed with BoA and their ignorance to understand.

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This documentation you have provided me [referring here to documents from the case record that the Government has provided to Mr. Sakal] will help with my argument to the underwriter and helps justify my case with the credit bureaus.

I have estimated that I have spent over 40 man hours dealing with banks and creditors in resolving the issues as well as 3 days lost wages since I am a contract worker (no work = no pay), which equates to \$1,440. In regards to negative credit as mentioned earlier, I am unable to secure a lower rate and have had my credit score go from "Good" to "Fair". With my current mortgage rate, versus what I should be eligible and what I will most likely receive, could cost me anywhere from \$41,407 to \$80,492 over the life of a 30 year fixed mortgage. I understand that is speculative for the courts, but this is the current dilemma I am dealing with.

The Government respectfully requests that the Court take this victim impact statement into consideration at sentencing. In addition, in light of Mr. Sakal's victim impact statement, the Government will propose that Mr. Sakal be included as a victim in the restitution order for this matter.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: _____/s/_____
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cc: Allan Haber, Esq. (by ECF)